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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/549,505	04/14/2000	Brian Mark Shuster	409475-4	8771

23879 7590 01/24/2006		EXAMINER	
BRIAN M BERLINER, ESQ		CAMPBELL, JOSHUA D	
O'MELVENY & MYERS, LLP			
400 SOUTH HOPE STREET		ART UNIT	PAPER NUMBER
LOS ANGELES, CA 90071-2899		2178	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.</td><td>Applicant(s)</td></tr>
<tr><td>09/549,505</td><td>SHUSTER ET AL.</td></tr>
<tr><td>Examiner</td><td>Art Unit</td><td></td></tr>
<tr><td>Joshua D. Campbell</td><td>2178</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 October 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>50-54, 56-63 and 65-71</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>50-54, 56-63 and 65-71</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Request for continued examination

filed on 10/31/2005.

2.   Claims 50-54, 56-63, and 65-71 are pending in this case. Claims 50 and 60 are

independent claims. Claims 50, 51, and 60 have been amended. Claims 70 and 71

have been newly added. Claims 55 and 64 have been cancelled.

3.   The rejection of claims 50-53, 60-62, and 68-69 under 35 U.S.C. 103(a) as being

unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of

October 15, 1996) has been withdrawn due to amendments.

4.   The rejection of claims 54, 56-58, 63, and 65-67 under 35 U.S.C. 103(a) as being

unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of

October 15, 1996) as applied to claims 50, 52, 60, and 61 above, and further in view of

Astiz et al. (US Patent Number 6,035,330, filed on March 29, 1996) has been withdrawn

due to amendments.

5.   The rejection of claim 59 under 35 U.S.C. 103(a) as being unpatentable over

Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996)

in view of Astiz et al. (US Patent Number 6,035,330, filed on March 29, 1996) as applied

to claim 56 above, and further in view of Sitka (US Patent Number 6,330,572, US filing

date July 15, 1998) has been withdrawn due to amendments.

Claim Rejections - 35 USC § 112

6.   The term "quickly" in claims 50 and 60 is a relative term which renders the claim indefinite. The term "quickly" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is suggested that the applicant remove the term "quickly" from these claims ("such that a user can preview and assess…").

Claim Rejections - 35 USC § 103

7.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8.   Claims 50-53, 60-62, and 68-71 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996) in view of Bloomberg (US Patent Number 5,765,176, issued on June 9, 1998).

Regarding independent claim 50, Weinberg et al. discloses a method in which a plurality of pages are mapped, each page having a network address and comprising at least one hyperlink to a related page (column 1, line 64-column 2, line 26 of Weinberg et al.). Linked related pages are then identified for the target pages (column 2, lines 10-57 of Weinberg et al.). Weinberg et al. also discloses that both hyperlinked objects (other web pages) and non-hyperlink information objects (images, audio files, video files, etc.) are automatically selected for the mapping process (column 8, lines 32-50 of

Weinberg et al.). Weinberg et al. discloses that additional information or properties for

each page, object, and link are defined and displayed on the map when a user zooms in

the view of the map (column 2, lines 10-57 of Weinberg et al.).

Weinberg et al. discloses that a map is generated that shows the relationship of

the objects, which are shown as thumbnail icons, and also shows additional information

about the objects as the user zooms in on the map (column 2, lines 10-57 of Weinberg

et al.). Weinberg et al. does not disclose a method in which the icon is a direct

representation of the original non-reduced image or that the final map includes a block

of text and the reduced sized image. However, Bloomberg discloses a method in which

icons are created for use based on the original non-reduced image of a document that

they represent, which include blocks of text and images from the document (Figure 3

and column 5, line 63-column 6, line 24 of Bloomberg). It would have been obvious to

one of ordinary skill in the art at the time the invention was made to have combined the

methods of Weinberg et al. with the methods of Bloomberg because it would have

provided an easier way to allow users to recognize the full-sized image represented by

the icons by merely previewing the map.

Regarding dependent claim 51, Weinberg et al. discloses a method in which a

graphical icon is used to identify every object and page in the map (column 2, lines 49-

57 of Weinberg). Additional information or properties for each page, object, and link are

defined and displayed on the map when a user zooms in the view of the map (column 2,

lines 10-57 of Weinberg et al.). Weinberg et al. also discloses a method in which

search results (list) from an internet search engine query are used as identifiers to

generate the map, and each of those results correspond to one of the objects on the

map (column 26, line 47-column 27, line 35 of Weinberg et al.). Weinberg et al.

discloses a method in which any of the objects on the map may be selected by the user

(column 1, line 64-column 2, line 48 of Weinberg).

Regarding dependent claims 52 and 53, Weinberg et al. discloses that a map

is generated that shows the relationship of the objects, which are shown as thumbnail

icons and also shows additional information about the objects as the user zooms in on

the map (column 2, lines 10-57 of Weinberg et al.). This map is a hierarchal

representation of the linked page structure (Figure 1 of Weinberg et al.)

Regarding independent claim 60 and dependent claims 61-62 and 64, the

claims incorporate substantially similar subject matter as claims 50 and 52-53. Thus,

the claims are rejected along the same rationale as claims 50 and 52-53.

Regarding dependent claims 68 and 69, Weinberg et al. discloses a method in

which an application module, which is a distributable application, on a client computer

generates the map page from information provided by a server (column 7, line 55-

column 8, line 15 of Weinberg et al.).

Regarding dependent claims 70 and 71, Weinberg shows that a list is

compiled, the list comprising identifiers for the plurality of target pages having a set of

linked related pages, wherein each identifier in the list is associated with at least a

portion of the map information generated (Figure 4, specifically item 78, and column 16,

lines 40-57 of Weinberg et al.).

9.   Claims 54, 56-58, 63, and 65-67 remain rejected under 35 U.S.C. 103(a) as

being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing

date of October 15, 1996) in view of Bloomberg (US Patent Number 5,765,176, issued

on June 9, 1998) as applied to claims 50, 52, 60, and 61 above, and further in view of

Astiz et al. (US Patent Number 6,035,330, filed on March 29, 1996).

        Regarding dependent claim 54, Weinberg et al. and Bloomberg fail to teach

that information is accessed by selecting an identifier from the list (search engine

results). However, Astiz et al. discloses a method of mapping a web page in which the

map itself and the corresponding data are stored in a database, from which they can be

recalled by users (column 5, line 68-column 6, line 20 of Astiz et al.). Astiz et al. also

discloses that a mouse can be used to access maps previously generated that are

stored in the database by selecting the page (link in search engine results) that the map

corresponds too (column 9, line 31-column 10, line 50 of Astiz et al.). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to

combine the methods of Weinberg et al. and Bloomberg with the method of Astiz et al.

because it would have provided a more organized way of accessing the data contained

in memory.

        Regarding dependent claims 56-58, Weinberg et al. and Bloomberg do not

disclose a method in which the map data and pages are stored in a database, where

users can recall the information using the mouse. Weinberg et al. also discloses that

search engine may be used for mapping purposes, so that a search is performed for

pages on a wide area network (internet) and a map is created from that set of web

pages (column 26, line 32-column 27, line 35 of Weinberg et al.). Weinberg fails to teach that the information is stored in a database and accessed using a mouse by selecting the original page. However, Astiz et al. discloses a method of mapping a web page in which the map itself and the corresponding data are stored in a database, from which they can be recalled by users (column 5, line 68-column 6, line 20 of Astiz et al.). Astiz et al. also discloses that a mouse can be used to access maps previously generated that are stored in the database by selecting the page (link in search engine results) that the map corresponds too (column 9, line 31-column 10, line 50 of Astiz et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods of Weinberg et al. and Bloomberg with the method of Astiz et al. because it would have provided a more organized way of accessing the data contained in memory.

Regarding dependent claims 63 and 65-67, the claims incorporate substantially similar subject matter as claims 54 and 56-58. Thus, the claims are rejected along the same rationale as claims 54 and 56-58.

10.   Claim 59 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996) in view of Bloomberg (US Patent Number 5,765,176, issued on June 9, 1998) further in view of Astiz et al. (US Patent Number 6,035,330, filed on March 29, 1996) as applied to claim 56 above, and further in view of Sitka (US Patent Number 6,330,572, US filing date July 15, 1998).

Regarding dependent claim 59, none of Weinberg et al., Astiz et al., nor Bloomberg disclose a method of deleting items from the map database after a predetermined amount of time. However, Sitka discloses a method of database management in which items in which items contained within a database can be automatically deleted based on the amount of time they have spent in the database (column 17, line 54-column 18, line 3 of Sitka). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the method of Sitka on the mapping system because Sitka's method would have allowed automatic database "house cleaning" to increase open space available to the user.

Response to Arguments

11.   Applicant's arguments with respect to claims 50-54, 56-63, and 65-71 have been considered but are moot in view of the new ground(s) of rejection.
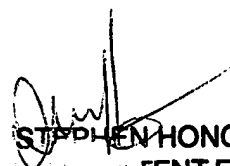
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

STEPHEN HONG
SUPER... PATENT EXAMINER

JDC
January 12, 2006